



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
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Seattle, Washington 98101-3140

May 11, 2022

## **PLACE HOLDER DOCUMENT**

**FOIA Case Number:** EPA-R10-2022-003627

**Description:**

1. All documents and/or communications relating to the Bunker Hill Mine and/or Crescent Mine generated between 1990 and the present, and more specifically:
  - a. Any documents and/or communications related to the water in the subsurface of both mines (both in the mine pools and seeping into the mine pools from adjacent subsurface rock), and the historical flooding of the lower levels of the Bunker Hill Mine in the 1991-1994 period, which in turn caused the flooding of the lower levels of the Crescent Mine (via the "Y-U" or "Yreka" crosscut tunnel). For example, maps, diagrams, reports, or other documents that describe the mines, including spatial layout, history, mineral contents, subsurface water volumes and flow rates and directions, and types and concentrations of hazardous substances in mine water.
  - b. All documents and/or communications related to the time period 1991-1994 when Placer Mining Corporation ("PMC") owned and operated the Bunker Hill Mine, and in particular when PMC ceased pumping water from the Bunker Hill Mine Pool and diverted mine water down a shaft to the lower levels of the Bunker Hill Mine, and any documents addressing the timing and extent to which mine water from the lower levels of the Bunker Hill Mine rose to the level of, and entered into, the Y-U crosscut tunnel connecting the Bunker Hill Mine to the Crescent Mine and flooded the lower levels of the Crescent Mine.
  - c. Any documents and/or communications related to water discharged from the Bunker Hill Mine via the Kellogg Tunnel, specifically including all sampling reports/data of the water discharging from the Kellogg Tunnel whether at the point of discharge from the mine or at the Central Treatment Plant.
2. Communications to or from PMC, Robert Hopper, Sr., Robert Hopper, Jr., Bunker Hill Mining Corporation ("BHMC"), Sam Ash (BHMC CEO), or any other owner, operator, contractor, consultant, or other person, as well as all EPA documents relating to the issues discussed in such correspondence, on all topics relating to either the Bunker Hill Mine or Crescent Mine, including but not limited to:

- a. The topics described in Section 1 above.
- b. The 2004 litigation, *United States v. Placer Mining Corp.*, D. Idaho, No. 2:04-cv-00126-EJL, and in particular, documents substantiating the factual assertions in paragraphs 14-26 of the First Amended Complaint (relating to PMC's actions, omissions, and non-compliance with EPA orders and directives in the early 1990s regarding the Bunker Hill Mine), including all EPA enforcement and compliance communications to/from PMC or Robert Hopper, Sr.
- c. The 2018 consent decree between the United States (EPA) and PMC, resolving the claims in *United States v. Placer Mining Corp.*, D. Idaho, No. 2:04-cv-00126-EJL.
- d. The 2018 Settlement Agreement and Order on Consent ("SAOC") between the United States and BHMC, including its first amendment, entered into in December 2021.
- e. The 2017 leasing of the Bunker Hill Mine by BHMC, and its January 7, 2022, purchase of the Bunker Hill Mine from PMC.
3. Documents and/or communications relating to the case of *Royal Silver Mines, Inc. v. Fausett International, Inc., et al.*, D. Idaho, No 3:98-cv-00251-EJL, and the EPA's involvement in that case, including but not limited to all communications (to/from EPA counsel Ted Yackulic, or otherwise) regarding the case and the issues litigated therein.
4. Documents relating to the EPA involvement in the Chapter 11 bankruptcy of Bunker Hill Mining Company (U.S.), Inc., filed January 17, 1991 (U.S. Bankruptcy Court for the District of Idaho), No. 91-00161.

**Records responsive to this request were previously released to the public under the FOIA Case Number(s) listed below:**

EPA-R10-2018-007161

EPA-R10-2018-010523

Type the case number in the search box in the upper right hand corner of FOIAonline's home page. Click on the Tracking Number link, scroll down to the section titled 'Released Records' then select the file(s) you want to download.

**For information about this disposition contact:**

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